

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12877 of National Savings and Trust Co., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.48 to continue the use of a parking lot in an R-1-B District at the premises 1200 Tewkesbury Place, N.W., (Square 2945, Lot 850).

HEARING DATE: March 13, 1979

DECISION DATE: April 4, 1979

FINDINGS OF FACT:

1. The subject property is located at 1200 Tewkesbury Place, N.W. It is in an R-1-B District.
2. There are public alleys to the east and south of the subject site.
3. By BZA Order No. 5929 of 1960 the Board permitted the creation of the subject parking lot. By subsequent BZA Orders the lot has been continued for five year periods.
4. The subject lot has a capacity for twenty-two cars. It is unattended.
5. The subject lot is operated by the applicant for use by the customers of its adjacent branch located at 6422 Georgia Avenue, N.W. The applicant's employees do not use the lot. The lot is separated from the bank by an alley.
6. The applicant has no future plans for use of the lot other than its present use.
7. The applicant testified that the conditions of the prior Order of the BZA are being met. The Board so finds.
8. The pictures on file reflect that litter has been allowed to accumulate. The applicant testified that the lot is cleaned twice per week and the landscaping is trimmed.

9. The lot is not chained off at night but is still not used by the neighborhood for over-night parking. From time to time the applicant grants residents of the neighborhood the use of the lot on weekends.

10. The application was referred to the Department of Transportation for its review and report. No report was received as of the day of the Public Hearing. However, prior to the decision meeting on the case, the Board received a report from the Department, dated March 13, 1979. The Department reported that the lot created no adverse impacts on surrounding neighborhood streets. The Board so finds.

11. Advisory Neighborhood Commission 4A made no recommendation on the application.

12. There was no opposition to the application.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the applicant has substantially complied with the requirements of Paragraph 3101.48 of the Zoning Regulations. The Board notes that the subject lot has been in existence for nineteen years and there was no opposition to the application. The Board further concludes that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

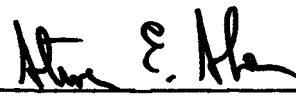
- a. Approval shall be for a period of three (3) years from the date of expiration of the previous Certificate of Occupancy, which may be renewed at the discretion of the Board upon the filing of a proper application.
- b. The lot shall be cleaned on a daily basis.
- c. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

- d. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- e. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- f. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- g. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- h. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- i. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh and Leonard L. McCants to grant)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

19 APR 1979

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.